

EXHIBIT 1

DARIUS M. THOMPSON

v.

PRIME PARK VISTA, LLC

*DEFENDANT PRIME PARK VISTA, LLC'S PETITION
FOR REMOVAL OF CIVIL ACTION*

PLAINTIFF'S COMPLAINT

EXHIBIT 1

FILED
Electronically
CV20-01055
2020-07-13 09:17:22 AM
Jacqueline Bryant
Clerk of the Court
Transaction # 7966640 : csulezic

1 William R. Kendall, Esq.
2 State Bar No. 3453
3 137 Mt. Rose Street
4 Reno, NV 89509
5 (775) 324-6464
6 Attorney for Plaintiff

7 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
8 **IN AND FOR THE COUNTY OF WASHOE**

9 * * *

10 DARIUS M. THOMPSON,

11 Plaintiff,

CASE NO.:

12 vs.

DEPT. NO.

13 PRIME PARK VISTA, LLC,
14 a Delaware corporation;
DOES I-V; inclusive,

15 Defendants.

16 **COMPLAINT**

17 Plaintiff, DARIUS M. THOMPSON, by and through his counsel, WILLIAM R.
18 KENDALL, ESQ., for claims against Defendants, and each of them, avers and alleges as
19 follows:

20 1. At all times material hereto, Plaintiff was a resident of Washoe County, State of
21 Nevada.

22 2. At all times material hereto, upon information and belief, Defendant, PRIME
23 PARK VISTA, LLC, was a Delaware corporation, and was the owner and operator of Park Vista
24 Apartments, 565 Sparks Blvd., Sparks, Washoe County, Nevada.

25 3. The incident made the basis of this action occurred in Washoe County, Nevada.
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1 10. At said time and place, there were in force and effect State, County and municipal
2 statutes, ordinances and codes requiring inspection and maintenance which were intended to
3 protect a class of persons, to which Plaintiff belonged, against injury. Defendant's violation of
4 said statutes, ordinances and codes proximately caused injury to Plaintiff and constitutes
5 negligence per se.

6 11. At said time and place, as Plaintiff was descending said staircase, the second to
7 the bottom stair broke off from its mounting site and caused Plaintiff to fall.

8 12. As a direct and proximate result of Defendants' negligence, as set forth above,
9 Plaintiff suffered severe and disabling physical and mental injuries and damages, all in excess of
10 \$ 15,000.00.

11 13. As a further direct and proximate result of Defendants' negligence, Plaintiff has
12 incurred medical expenses in an amount unknown at this time, but in excess of \$ 15,000.00.

13 14. As a further direct and proximate result of Defendants' conduct, Plaintiff has
14 incurred legal costs and attorney's fees for which he should be compensated by Defendants.

15 15. Defendant's breaches of the duties set forth above were engaged in or ignored
16 with malice by way of despicable conduct engaged in with a conscious disregard for Plaintiff's
17 rights and safety.

18 16. Due to Defendant's malicious conduct as aforesaid, punitive damages should be
19 assessed against Defendant in an amount in excess of \$ 15,000.00.

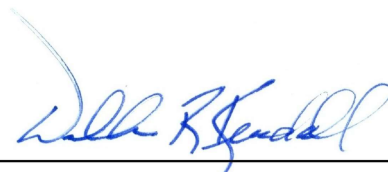
20 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 21 1. For general damages in a sum in excess of \$15,000.00;
- 22 2. For special damages in a sum in excess of \$15,000.00;
- 23 3. For punitive damages in a sum in excess of \$ 15,000.00;
- 24 4. For costs of suit and a reasonable attorney's fee;

1 5. For such other and further relief as the Court may deem just and proper.

2 DATED this 13th day of July, 2020.

3 WILLIAM R. KENDALL, ESQ.

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8 137 Mt. Rose Street
9 Reno, NV 89509
10 (775) 324-6464
11 Attorney for Plaintiff

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE, STATE OF NEVADA**

**AFFIRMATION
Pursuant to NRS 239B.030**

The undersigned does hereby affirm that the preceding document
filed in case number: _____



Document does not contain the social security number of any person

Date: **7/13/2020** _____



WILLIAM R. KENDALL, ESQ.